



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

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JUN 27 2014

Joseph R. Whelan
General Manager
Waste Management of Hawaii
92-460 Farrington Highway
Kapolei, Hawaii 96707

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Dana Viola
Office of the Corporation Counsel
City and County of Honolulu
530 South King Street
Honolulu, HI 96813

Re: Amended Finding of Violation and Order for Compliance for Waimanalo Gulch Sanitary Landfill –
CWA-309(a)-12-003 – Detention Basin Study Final Report

Dear Mr. Whelan and Ms. Viola:

Under Paragraph 10 of the Amended Finding of Violation and Order CWA-309(a)-12-003 (Amended AO), after completing work associated with an approved plan to study the detention basin, Waste Management Hawaii (WMH) and the City and County of Honolulu (CCH) were required to:

Submit a final report to EPA for approval as to the adequacy of the detention basin to manage stormwater runoff from Waimanalo Gulch Sanitary Landfill and whether the detention basin will achieve full compliance with the [National Pollutant Discharge Elimination System (NPDES)] permit requirements for WGSL, including both numeric and non-numeric criteria. If the report identifies any deficiencies with the detention basin in achieving these objectives, [WMH and CCH] shall propose compliance measures sufficient to fully address any deficiencies as well as any appropriate interim measures needed to achieve full compliance. [WMH and CCH] shall propose schedules for the timely implementation of all proposed compliance measures.

The Detention Basin Final Study, submitted October 21, 2013, meets the requirements of the Amended AO, and accordingly, EPA approves the submittal, pursuant to Paragraph 11 of the Amended AO. EPA's approval of the Final Study Report should not be construed as approval of the assumptions or conclusions contained in the Final Study Report; rather the approval reflects that the submittal meets the terms of the Amended AO.

In the Final Study Report, WMH and CCH state that the detention basin is not sized to treat stormwater runoff from storms greater than 1.4 inches (approximately 0.5 year frequency), with treatment decreasing as rainfall increases (Final Study Report, pp. 46-47). During the study time period, the Final Study Report demonstrates that WGSL discharged stormwater exceeding permit limits for multiple

constituents, including iron, total suspended sediments, and pH (Final Study Report, pp. 47-52). The Final Study Report describes additional work to be conducted by WMH and CCH to improve the level of treatment. For example, within the next twelve months, WMH and CCH plan to increase retention time in the detention basin by eliminating the sub-drains in the southern basin and replacing them with an outlet that discharges water from the surface of the basin, as well as repairing or replacing the upper western stormwater conveyance elements to decrease the velocity of the water entering the detention basin and prevent erosion (which adds sediment to the water entering the detention basin). Additionally, within the next three years, WMH and CCH plan to approach the Hawaii Department of Health to discuss the terms of the NPDES Permit. As a reminder, pursuant to Paragraph 12 of the Amended AO, WMH and CCH are required to complete the work laid out in the Final Report consistent with the time schedule described.

Sincerely,



Kathleen Johnson, Director
Enforcement Division

cc: Andrew Kenefick, Waste Management (via email)
Mathew Kurano, Hawaii Department of Health
Daryl Lum, Hawaii Department of Health